

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. Cancelled
2. Cancelled
3. Cancelled
4. Cancelled
5. Cancelled
6. Cancelled
7. Cancelled
8. Cancelled
9. Cancelled
10. (allowed) A device for detecting a microparticle in a fluid, the microparticle being tagged with a fluorescent substance, the fluorescent substance emitting fluorescent light when exposed to electromagnetic radiation, the device comprising:
  - a capillary chamber;
  - a fluid delivery system coupled to the capillary chamber, the fluid delivery system capable of introducing the microparticle and the fluid into the capillary chamber;
  - a source of electromagnetic radiation positioned in proximity to the capillary chamber to expose the fluorescent substance to electromagnetic radiation; and
  - a detection device configured to measure fluorescent light emitted from the fluorescent substance when the microparticle is in the capillary chamber, wherein the fluorescent substance has a magnetic charge.
11. (allowed) The device of claim 10, further comprising:

a magnetic element positioned in a surrounding relationship to the capillary, the magnetic element having a magnetic charge which repels the fluorescent substance.

12. Cancelled
13. Cancelled
14. Cancelled
15. Cancelled
16. Previously Cancelled
17. Cancelled
18. Cancelled
19. Previously Cancelled
20. Cancel
21. Cancel
22. Previously Cancelled
23. Previously Cancelled
24. Cancel
25. Cancel
26. Previously Cancelled
27. Previously Cancelled
38. Cancel
39. Cancel